

TITLE III – INDIAN ENERGY

SEC. 301. SHORT TITLE.

Designates Title III as “Indian Tribal Energy Development and Self-Determination Act of 2003.

SEC. 302. OFFICE OF INDIAN ENERGY POLICY AND PROGRAMS.

Establishes an Office of Indian Energy Policy and Programs within the Department of Energy that is charged with improving the energy infrastructure to increase resource development and lower costs on tribal land. This section authorizes \$20 million in annual grant authority to the Director of this office to promote planning and development of energy infrastructure. In addition, \$2 billion is authorized to provide loan guarantees for energy projects.

SEC. 303. INDIAN ENERGY.

Amends Section XXVI of the Energy Policy Act of 1992 as follows:

TITLE XXVI—INDIAN ENERGY

SEC. 2601. DEFINITIONS.

Defines key terms.

SEC. 2602. INDIAN ENERGY RESOURCE DEVELOPMENT.

Authorizes the Secretary of Energy to provide tribes grants, and low-interest loans as well as technical assistance in developing energy resources located on Indian land and to expand a tribe’s technical and managerial abilities.

SEC. 2603. INDIAN TRIBAL ENERGY RESOURCE REGULATION.

Authorizes the Secretary of Interior to provide grants in order to cultivate legal training and implementation of tribal laws governing the development of energy projects and protection of the environment. The section also provides funding for feasibility studies as necessary to help tribes manage their resources.

SEC. 2604. LEASES INVOLVING ENERGY DEVELOPMENT OR TRANSMISSION.

Streamlines the leasing process for energy development on Tribal land by permitting leases or business agreements to be contracted without secretarial approval, so long as those leases or business agreements conform to regulations promulgated by the Secretary. Establishes a process by which a tribe must submit a plan governing leases and rights-of-way to the Secretary for approval. Prior to approval, the Secretary must be satisfied that the plan includes provisions regarding lease and contract terms, a full environmental regulation, and public notification and comment. The section also provides a process for the Secretary to conduct an annual trust asset evaluation as well as providing for compliance review of any energy resource agreement.

SEC. 2605. FEDERAL POWER MARKETING ADMINISTRATIONS.

Encourages the Administrators of the Bonneville Power Authority, and Western Area Power Authority to clarify their authority to purchase firm and replacement power from tribes and for tribes to use WAPA allocations for the same purpose. Also prohibits the Administrator from purchasing power supplies that exceed the prevailing market rates or terms. Requires the Secretary of Energy to consider the power allocations made to tribes and any impediments to improve access of PMA power to tribes.

SEC. 2606. INDIAN MINERAL DEVELOPMENT ACT REVIEW.

Directs the Secretary of the Interior to submit a report to the relevant Committees about possible barriers to energy development contained in the Indian Mineral Development Act, with suggestions for removing those impediments

SEC. 2607. WIND AND HYDROPOWER FEASIBILITY STUDY.

Requires the Secretary of Energy in cooperation with the Secretary of Interior and the Secretary of the Army to undertake a demonstration project that would study the feasibility of using wind energy generated by Indian tribes and hydropower generated by the Army Corps of Engineers on the Missouri River to supply firming power to Western Area Power Authority.

SEC. 304. FOUR CORNERS TRANSMISSION PROJECT.

Makes Dine Power Authority, of the Navajo Nation, eligible for demonstration funding under Section 2602 and Section 302 of this Act.

SEC. 305. ENERGY EFFICIENCY AND STRUCTURES ON INDIAN LANDS.

Directs the Secretary of Housing and Urban Development to provide technical assistance to Tribes and other Tribal housing entities that will initiate and expand the use of energy-saving technologies in new home construction and housing rehabilitation.

SEC. 306. CONSULTATION WITH INDIAN TRIBES.

Requires the Secretary of Energy and Secretary of the Interior to consult with Indian Tribes in carrying out this Act.